

HR 1744

106th CONGRESS

1st Session

H. R. 1744

[view STRS laboratory appropriation authorizations](#)
[view construction/maintenance appropriation authorizations](#)
[view US/OTP appropriation authorizations](#)
[view Industrial Technology Services appropriation authorizations](#)
[view NIST amendments](#)

To authorize appropriations for the National Institute of Standards and Technology for fiscal years 2000 and 2001, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

May 10, 1999

Mrs. MORELLA introduced the following bill; which was referred to the Committee on Science

A BILL

To authorize appropriations for the National Institute of Standards and Technology for fiscal years 2000 and 2001, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the 'National Institute of Standards and Technology Authorization Act of 1999'.

[\(return to top\)](#)

SEC. 2. AUTHORIZATION OF APPROPRIATIONS FOR SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES.

(a) **LABORATORY ACTIVITIES**- There are authorized to be appropriated to the Secretary of Commerce for the Scientific and Technical Research and Services laboratory activities of the National Institute of Standards and Technology--

(1) \$274,513,000 for fiscal year 2000, of which--

(A) \$39,960,000 shall be for Electronics and Electrical Engineering;

(B) \$17,916,000 shall be for Manufacturing Engineering;

(C) \$34,061,000 shall be for Chemical Science and Technology;

(D) \$29,569,000 shall be for Physics;

(E) \$53,093,000 shall be for Material Science and Engineering;

(F) \$13,817,000 shall be for Building and Fire Research;

(G) \$37,058,000 shall be for Computer Science and Applied Mathematics;

(H) \$17,636,000 shall be for Technical Assistance; and

(I) \$31,403,000 shall be for Research Support; and

(2) \$285,152,000 for fiscal year 2001.

[\(return to top\)](#)

(b) **MALCOLM BALDRIGE NATIONAL QUALITY PROGRAM**- There are authorized to be appropriated to the Secretary of Commerce for the Malcolm Baldrige National Quality Program under section 17 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3711a)--

(1) \$5,100,000 for fiscal year 2000; and

(2) \$5,100,000 for fiscal year 2001.

(c) **CONSTRUCTION AND MAINTENANCE**- (1) There are authorized to be appropriated to the Secretary of Commerce for construction and maintenance of facilities of the National Institute of Standards and Technology--

(A) \$106,800,000 for fiscal year 2000; and

(B) \$31,800,000 for fiscal year 2001.

(2) None of the funds authorized by paragraph (1)(B) for construction of facilities may be obligated unless the Secretary of Commerce has certified to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate that the obligation of funds is consistent with a plan for

meeting the facilities needs of the National Institute of Standards and Technology that the Secretary has transmitted to those committees.

[\(return to top\)](#)

[\(return to top\)](#)

SEC. 3. AUTHORIZATION OF APPROPRIATIONS FOR THE OFFICE OF THE UNDER SECRETARY FOR TECHNOLOGY.

There are authorized to be appropriated to the Secretary of Commerce for the activities of the Under Secretary for Technology and the Office of Technology Policy--

- (1) \$7,500,000 for fiscal year 2000; and
- (2) \$7,500,000 for fiscal year 2001.

[\(return to top\)](#)

SEC. 4. AUTHORIZATION OF APPROPRIATIONS FOR INDUSTRIAL TECHNOLOGY SERVICES.

There are authorized to be appropriated to the Secretary of Commerce for the Industrial Technology Services activities of the National Institute of Standards and Technology--

- (1) \$297,500,000 for fiscal year 2000, of which--
 - (A) \$190,700,000 shall be for the Advanced Technology Program under section 28 of the National Institute of Standards and Technology Act (15 U.S.C. 278n); and
 - (B) \$106,800,000 shall be for the Manufacturing Extension Partnerships program
- under sections 25 and 26 of the National Institute of Standards and Technology Act (15 U.S.C. 278k and 278l); and
- (2) \$256,700,000 for fiscal year 2001, of which--
 - (A) \$149,900,000 shall be for the Advanced Technology Program under section 28 of the National Institute of Standards and Technology Act (15 U.S.C. 278n); and

(B) \$106,800,000 shall be for the Manufacturing Extension Partnerships program under sections 25 and 26 of the National Institute of Standards and Technology Act (15 U.S.C. 278k and 278l).

SEC. 5. NATIONAL TECHNICAL INFORMATION SERVICE.

There are authorized to be appropriated to the Secretary of Commerce for the National Technical Information Service \$2,000,000 for fiscal year 2000.

[\(return to top\)](#)

SEC. 6. NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY ACT AMENDMENTS.

(a) AMENDMENTS- Section 28 of the National Institute of Standards and Technology Act (15 U.S.C. 278n) is amended--

(1) by inserting `and if the non-Federal participants in the joint venture agree to pay at least 60 percent of the total costs of the joint venture during the Federal participation period under this section, which shall not exceed 5 years,' in subsection (b)(1)(B) after `participation to be appropriate,';

(2) by striking `(ii) provision of a minority share of the cost of such joint ventures for up to 5 years, and (iii)' in subsection (b)(1)(B), and inserting in lieu thereof `and (ii)';

(3) by striking `, provided that emphasis is' in subsection (b)(2) and inserting in lieu thereof `on the condition that grant recipients (other than small businesses within the meaning of the Small Business Act) provide at least 60 percent of the costs of the project, with emphasis';

[\(return to top\)](#)

(4) in subsection (d)(1), by inserting `and be of a nature and scope that would not be pursued in a timely manner without Federal assistance' after `technical merit'; and

(5) by adding at the end the following new subsection:

`(k) The Secretary, acting through the Director, may vest title to tangible personal property in any recipient of financial assistance under this section if--

(1) the property is purchased with funds provided under this section; and

(2) the Secretary, acting through the Director, determines that the vesting of such property furthers the objectives of the Institute.

Vesting under this subsection shall be subject to such limitations as are prescribed by the Secretary, acting through the Director, and shall be made without further obligation to the United States Government.'.

(b) ADDITIONAL AMENDMENT- (1) Section 28 of the National Institute of Standards and Technology Act (15 U.S.C. 278n) is further amended by striking the period at the end of the first sentence of subsection (d)(11)(A) and inserting in lieu thereof the following: `or any other participant in a joint venture receiving financial assistance under this section, as agreed by the parties, notwithstanding the requirements of section 202 (a) and (b) of title 35, United States Code.'.

(2) The amendment made by this subsection shall be effective only with respect to assistance for which solicitations for proposals are made after the date of the enactment of this Act.

SEC. 7. TECHNICAL AMENDMENTS.

(a) RESEARCH FELLOWSHIPS- Section 18 of the National Institute of Standards and Technology Act (15 U.S.C. 278g-1) is amended by striking `up to 1 per centum of the'.

(b) OUTDATED SPECIFICATIONS- Section 2 of the Act entitled `An Act to authorize the Use of the Metric System of Weights and Measures' enacted July 28, 1866 (15 U.S.C. 205) is amended to read as follows:
[\(return to top\)](#)

`SEC. 2. The metric system of measurement shall be defined as the International System of Units as established in 1960, and subsequently maintained, by the General Conference of Weights and Measures, and as interpreted or modified for the United States by the Secretary of Commerce.'.

SEC. 8. ELIGIBILITY FOR AWARDS.

(a) IN GENERAL- The Director of the National Institute of Standards and Technology shall exclude from consideration for grant agreements made by the Institute after fiscal year 1999 any person who received funds, other than those described in subsection (b), appropriated for a fiscal year after fiscal year 1999, under a grant agreement from any Federal funding source for a project that was not subjected to a competitive, merit-based award process, except as specifically authorized by this Act. Any exclusion from consideration pursuant to this section shall be effective for a period of 5 years after the person receives such Federal funds.

(b) EXCEPTION- Subsection (a) shall not apply to the receipt of Federal funds by a person due to the membership of that person in a class specified by law for which assistance is awarded to members of the class according to a formula provided by law.

(c) DEFINITION- For purposes of this section, the term `grant agreement' means a legal instrument whose principal purpose is to transfer a thing of value to the recipient to carry out a public purpose of support or stimulation authorized by a law of the United States, and does not include the acquisition (by purchase, lease, or barter) of property or services for the direct benefit or use of the United States Government. Such term does not include a cooperative agreement (as such term is used in section 6305 of title 31, United States Code) or a cooperative research and development agreement (as such term is defined in section 12(d)(1) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a(d)(1))).

END

[\(return to top\)](#)